

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE AS TO
	:	<u>SPECIFIC PROPERTY</u>
RONALD ROGERS,	:	
	:	22 Cr. 321 (JMF)
Defendant.	:	
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WHEREAS, on or about June 7, 2022, RONALD ROGERS (the “Defendant”), among others, was charged in two counts of Indictment, 22 Cr. 321 (JMF) (the “Indictment”), with conspiracy to commit firearms offenses, in violation of Title 18, United States Code, Section 371 (Count One); and gun trafficking, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1) and 2 (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Count One and Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), of any and all firearms and ammunition involved in or used in the offenses charged in Counts One and Two of the Indictment, including but not limited to the Specific Property annexed hereto as Exhibit A, (collectively the “Specific Property”);

WHEREAS, on or about June 29, 2023, the Defendant pled guilty to Counts One and Two of the Indictment;

WHEREAS, the Defendant consents to the forfeiture of all his right, title and interest in the Specific Property, which constitutes property involved in the offense charged in Counts One and Two of the Indictment; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Matthew J. King of counsel, and the Defendant, and his counsel, Ian Marcus Amelkin, Esq., that:

1. As a result of the offense charged in Counts One and Two of the Indictment, to which the Defendant pled guilty, all of the Defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant, RONALD ROGERS, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the

United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate

or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: 
MATTHEW J. KING
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2384

10/12/2023
DATE

RONALD ROGERS


By: 
RONALD ROGERS

10/12/23
DATE

By: 
IAM H. MARCUS AMELKIN, ESQ.
Attorney for Defendant
Assistant Federal Defender
Federal Defenders of New York, Inc.
52 Duane Street, 10th Floor
New York, NY 10007

10/12/23
DATE

SO ORDERED:


HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE

10/12/23
DATE

Exhibit A

The Specific Property subject to forfeiture is as follows:

- a. A RG Industries, RG31, .32 S&W caliber revolver, Serial Number Q072155;
- b. A Taurus International, PT738 TCP, .380 caliber pistol, Serial Number 69093D;
- c. A Jiminez Arms, JA 380, .380 caliber pistol, Serial Number 371233;
- d. A Phoenix Arms, HP25A, .25 caliber pistol, Serial Number 4290983;
- e. A Rohm, RG10, .22 caliber revolver, Serial Number 866694;
- f. An EIG, RG10, .22 caliber revolver, Serial Number 98691;
- g. A Bryco Arms, Jennings Nine, 9mm pistol, Serial Number 1360178;
- h. A Jiminez Arms, JA 22, .22 caliber pistol, Serial Number 1186607;
- i. A Jiminez Arms, T-380, .380 caliber pistol, Serial Number 342542;
- j. A Jiminez Arms, JA25, .25 caliber pistol, Serial Number 275007;
- k. A RG Industries, RG23, .22 caliber revolver, Serial Number T745594;
- l. A SCCY Ind., CPX-2, 9mm pistol, Serial Number 061188;
- m. A RG Industries, RG23, .22 caliber revolver, Serial Number 291290;
- n. A RG Industries, RG14, .22 LR revolver, Serial Number 257720;
- o. A North American Arms, NAA22, .22 caliber revolver, Serial Number L228247;
- p. A North American Arms, NAA22, .22 caliber revolver, Serial Number L228242;
- q. A Cobra, CA380, .380 caliber pistol, Serial Number CP075515;
- r. A Cobra/Kodiak/Bearman, BBG9, 9mm derringer, Serial Number BTO22924;
- s. A Cobra/Kodiak/Bearman, BBG9, 9mm derringer, Serial Number BTO23096;
- t. A SCCY Ind., CPX-2, 9mm pistol, Serial Number C007176;
- u. A Taurus, G2C, 9mm pistol, Serial Number ABH808630;
- v. A Ruger, LCP, .380 caliber pistol, Serial Number 372362181;
- w. A Cobra, CL22 MBP, .22 mbp caliber derringer, Serial Number 127561;

- x. A Ruger, 9E, 9mm pistol, Serial Number 337-13230;
- y. A North American Arms, NAA22, .22 caliber revolver, Serial Number E241820;
- z. A Jiminez Arms, JA Nine, 9mm pistol, Serial Number 454737;
- aa. A Taurus, TCP PT738, .380 caliber pistol, Serial Number 40962D;
- bb. A Jiminez Arms, JA380, .380 caliber pistol, Serial Number 152079;
- cc. A North American Arms, NAA22, .22 caliber revolver, Serial Number E420242;
- dd. A Taurus, G2C, 9mm pistol, Serial Number ABN333896;
- ee. A Ruger, LCP II, .380 caliber pistol, Serial Number 380614731;
- ff. A Phoenix Arms, HP22A, .22 caliber pistol, Serial Number 4568893;
- gg. A Cobra/Kodiak/Bearman, FS380, .380 caliber pistol, Serial Number FS044679;
- hh. A Phoenix Arms, HP25A, .25 caliber pistol, Serial Number 4540935;
- ii. A Ruger, LCP, .380 caliber pistol, Serial Number 372384082;
- jj. A Ruger, LCP II, .380 caliber pistol, Serial Number 380629651;
- kk. A Smith & Wesson, M&P 40 Shield, .40 caliber pistol, Serial Number JED0465;
- ll. A Bearman, BBG38, .380 caliber pistol, Serial Number BT046360;
- mm. A Smith & Wesson, M&P Shield EZ, .380 caliber pistol, Serial Number NJY4549;
- nn. A Cobra, CA380, .380 caliber pistol, Serial Number CP073560;
- oo. A Cobra, CA380, .380 caliber pistol, Serial Number CP049635;
- pp. A Ruger, LCP, .380 caliber pistol, Serial Number 379006236;
- qq. A Ruger LCP .380 caliber pistol, Serial Number 379059266;
- rr. A Jiminez Arms, JA380, .380 caliber pistol, Serial Number 460258;
- ss. A Heritage MFG model, .22 revolver, Serial Number 1BH548156;

- tt. A Ruger model Wrangler, .22 revolver, Serial Number 205-91476;
- uu. A Bearman, BBG38, .380 caliber, derringer, Serial Number BT012656;
- vv. A Taurus, Spectrum, .380 Caliber pistol, Serial Number 1F180702;
- ww. A Smith & Wesson, M&P40, .40 caliber pistol, Serial Number DUT7431;
- xx. A Cobra/Kodiak/Bearman, BBG9SR, 9mm pistol, Serial Number BTO30020;
- yy. A Cobra/Kodiak/Bearman, BBG38, .38 caliber pistol, Serial Number BTO32811;
- zz. A Cobra/Kodiak/Bearman, BBG38, .38 caliber pistol, Serial Number BTO32810;
- aaa. A 12-gauge shotgun round, seized by the Bureau of Alcohol, Firearms, Tobacco, and Explosives (“ATF”) on or about May 24, 2022; and
- bbb. Two firearm magazines, seized by the ATF on May 24, 2022.